

REMARKS

In section 3 of the Office Action, the Examiner rejected claims 31-47 under 35 U.S.C. §103(a) as being unpatentable over Davies in view of Ben-Ze'ev (and further in view of Shintani).

The amendments to claims 31 and 42 are supported by the first paragraph of the Summary section of the present application.

Neither Davies nor Ben-Ze'ev discloses or suggests plural televisions that transmit confirmation signals indicating that the televisions have modified their operation, and neither Davies nor Ben-Ze'ev discloses or suggests a host processor that determines which televisions do not transmit confirmation signals indicating that they have modified their operation.

Column 4, lines 17-44 of Davies merely states that, if the remote controller is not within range of the television, a signal is sent from the remote controller to the television and the remote controller provides feedback as to whether the control signal was received and the function was executed by the television.

As can be seen, this portion of Davies does not disclose or suggest plural televisions that transmit confirmation signals indicating that the plural

televisions have modified their operation, and this portion of Davies also does not disclose or suggest a host processor that determines which of plural televisions do not transmit confirmation signals indicating that they have modified their operation.

Indeed, Davies does not disclose plural televisions and does not disclose any mechanism that would allow it to distinguish between plural televisions.

Column 10, lines 49-65 of Ben-Ze'ev states that a remote controller sends a signal asking a device to identify itself, and that the device sends its identification to the remote controller.

However, the signal sent by the remote controller does not command the device to modify its operation. Indeed, presumably the device will continue to operate as before and will merely transmit its identification. Moreover, there is no disclosure here that the remote controller determines which of plural devices fail to provide a confirmation signal indicating the devices have modified their operation.

Column 11, lines 2-14 of Ben-Ze'ev states that, if an identification signal from a device is not received, the icon or text of that appliance is removed from the screen.

Removing an icon or text of a device from a screen does not confirm that the device has modified its operation. Therefore, the remote controller cannot determine which televisions have failed to confirm that they have modified their operation. Accordingly, not only do the devices not return a signal confirming that they have modified their operation, but the remote controller does not determine which of plural devices fail to return such a confirmation signal.

Column 12, line 59 through column 13, line 20 of Ben-Ze'ev states that the remote controller can send a status interrogating command to a specific appliance, and that the appliance responds by sending to the remote controller its status.

However, a status interrogating command is not a signal requiring the appliance to modify its operation. Therefore, the return status indicating signal is not a signal confirming that the appliance has modified its operation. Accordingly, not only do the appliances not return a signal confirming that they have modified their operation, but the remote controller does not determine which of plural appliances fail to return such a confirmation signal.

Column 13, lines 48-50 of Ben-Ze'ev state that an alert signal may result in a message being displayed on the screen of the remote controller. An alert signal may indicate, for example, that a kettle has finished boiling the water.

However, alert signals are initiated by the appliances which means that they are not initiated as a result of a command from the remote controller, the alert signals do not indicate a modification of the operation of the appliances, and the remote controller does not use them to determine which appliances fail to return an alert signal.

Accordingly, because neither Davies nor Ben-Ze'ev discloses plural televisions that return confirmation signals indicating that they have modified their operation as commanded by a host device, and because neither Davies nor Ben-Ze'ev discloses determining which of the televisions fail to send such a confirmation signal, it would not have been obvious to one of ordinary skill in the art to combine these references to as the produce the inventions of claims 31-47.

Shintani - On page 4 of the Office Action, the Examiner states that, for the feature of determining

which devices fail to send back a confirmation signal, the Examiner relies on Shintani. However, the Examiner does not mention Shintani at the bottom of page 2 of the Office Action. Nevertheless, because of the reliance on Shintani on page 4 of the Office Action, it appears that claims 31-47 should have been rejected under 35 U.S.C. §103(a) on page 2 of the Office Action as being unpatentable over Davies in view of Ben-Ze'ev and further in view of Shintani.

Shintani discloses a remote control 100 and a television (not shown) each having a transmitter and a receiver such that signals can be communicated between the remote control 100 and the television. The television can send a confirmation signal to the remote control 100 when a valid instruction is received by the television from the remote control 100. The television can send an error signal to the remote control 100 when an invalid instruction is received by the television from the remote control 100. The television can send a prompt signal to the remote control 100 when an instruction received by the television from the remote control 100 requires additional input in order to execute the instruction. The remote control 100 has a display 103 that can display a listing of sub-channels or an

electronic program guide received from the television. The television can transmit commands from then remote control 100 to a peripheral device.

As can be seen, Shintani does not disclose communication between a host device and a plurality of dispersed televisions such that the host device transmits command signals to each of the televisions, such that each of the televisions transmits a confirmation signal to the host device confirming that the televisions have modified their operation as commanded, and such that the host device determines which of plural televisions do not return a confirmation signal.

Therefore, because Davies, Ben-Ze'ev, and Shintani taken together do not disclose plural televisions that return confirmation signals indicating that they have modified their operation as commanded by a host device, and because Davies, Ben-Ze'ev, and Shintani taken together do not disclose determining which of the televisions fail to send such a confirmation signal, it would not have been obvious to one of ordinary skill in the art to combine Davies, Ben-Ze'ev, and Shintani so as to produce the inventions of claims 31-47.

Moreover, Shintani does not even disclose that its confirmation signal confirms that the television has

modified its operation as commanded. The confirmation signal merely confirms that a valid instruction has been received by the television, not that the television actually modified its operation in response to the valid instruction.

Accordingly, Shintani cannot be used in the manner that the Examiner has used Shintani to reject claims 31-47. For this reason also, it would not have been obvious to one of ordinary skill in the art to combine Davies, Ben-Ze'ev, and Shintani so as to produce the inventions of claims 31-47.

For all of the reasons give above, claims 31-47 are patentable over Davies in view of Ben-Ze'ev (and further in view of Shintani).

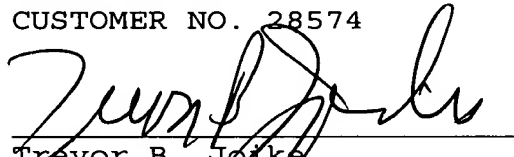
CONCLUSION

In view of the above, it is clear that the claims of the present application patentably distinguish over the art applied by the Examiner. Accordingly, allowance of these claims and issuance of the above captioned patent application are respectfully requested.

Respectfully submitted,

SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6402
(312) 258-5774
CUSTOMER NO. 28574

By:


Trevor B. Joiks
Reg. No: 25,542

January 10, 2007